

No. 77

JOURNAL OF THE SENATE

Senate Chamber, Lansing, Wednesday, October 31, 2001.

10:00 a.m.

The Senate was called to order by the President, Lieutenant Governor Dick Posthumus.

The roll was called by the Secretary of the Senate, who announced that a quorum was present.

Bennett—present
Bullard—present
Byrum—present
Cherry—present
DeBeaussaert—present
DeGrow—present
Dingell—present
Dunaskiss—present
Emerson—present
Emmons—present
Garcia—present
Gast—present
Goschka—present

Gougeon—present
Hammerstrom—present
Hart—present
Hoffman—present
Johnson—excused
Koivisto—present
Leland—present
McCotter—present
McManus—present
Miller—present
Murphy—present
North—present

Peters—present
Schuette—present
Schwarz—present
Scott—present
Shugars—present
Sikkema—present
Smith—present
Steil—present
Stille—present
Van Regenmorter—present
Vaughn—excused
Young—present

Senator George Z. Hart of the 6th District offered the following invocation:

“Just a closer walk with Thee. Grant it, Jesus, is my plea.

Daily walking close to Thee, let it be, dear Lord, let it be.

I am weak, but Thou art strong; Jesus keep me from all wrong.

I’ll be satisfied as long as I walk, let me walk, close with Thee.”

Senators Hammerstrom and Byrum entered the Senate Chamber.

Motions and Communications

Senator Emmons moved that Senators DeGrow and Gast be temporarily excused from today’s session.
The motion prevailed.

Senator Emmons moved that Senator Johnson be excused from today’s session.
The motion prevailed.

Senator Emerson moved that Senator Miller be temporarily excused from today’s session.
The motion prevailed.

Senator Emmons moved that the following bills, now on Committee Reports, be referred to the Committee on Finance:

Senate Bill No. 20, entitled

A bill to amend 1975 PA 228, entitled “Single business tax act,” (MCL 208.1 to 208.145) by adding sections 39d and 39e.

Senate Bill No. 21, entitled

A bill to create certain authorities; to authorize the creation of certain funds; to authorize expenditures from certain funds; to finance the purchase of land and buildings; to allow for the leasing of facilities; and to prescribe the powers and duties of certain state and local officials.

The motion prevailed.

Senator Miller entered the Senate Chamber.

The Secretary announced that the following House bills were received in the Senate and filed on Tuesday, October 30:

House Bill Nos. 4811 4887 4892 4893 4894 4895 5005 5211

The Secretary announced the printing and placement in the members’ files on Tuesday, October 30, of:

**House Bill Nos. 5343 5344 5345 5346 5347 5348 5349 5350 5351 5352 5353 5354 5355 5356
5357 5358 5359 5360 5361 5362 5363 5364 5365 5366**

By unanimous consent the Senate proceeded to the order of

General Orders

Senator Emmons moved that the Senate resolve itself into the Committee of the Whole for consideration of the General Orders calendar.

The motion prevailed, and the President, Lieutenant Governor Posthumus, designated Senator Gougeon as Chairperson.

After some time spent therein, the Committee arose; and, the President pro tempore, Senator Schwarz, having assumed the Chair, the Committee reported back to the Senate, favorably and without amendment, the following bill:

Senate Bill No. 776, entitled

A bill to amend 1988 PA 161, entitled “Consumer financial services act,” by amending sections 2 and 17 (MCL 487.2052 and 487.2067), as amended by 1999 PA 275, and by adding sections 10f, 10g, 10h, 10i, 10j, and 10k.

The bill was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 385, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 614, 617, and 1066 (MCL 380.614, 380.617, and 380.1066), section 614 as amended by 1992 PA 263, section 617 as amended by 1989 PA 268, and section 1066 as amended by 1995 PA 289.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 61, entitled

A bill to amend 1954 PA 116, entitled "Michigan election law," (MCL 168.1 to 168.992) by adding section 659.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 386, entitled

A bill to amend 1966 PA 261, entitled "An act to provide for the apportionment of county boards of commissioners; to prescribe the size of the board; to provide for appeals; to prescribe the manner of election of the members of the county board of commissioners; to provide for compensation of members; to prescribe penalties and provide remedies; and to repeal acts and parts of acts," by amending section 11 (MCL 46.411), as amended by 1982 PA 504.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 387, entitled

A bill to amend 1989 PA 24, entitled "The district library establishment act," by amending section 11 (MCL 397.181).

Substitute (S-2).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 388, entitled

A bill to amend 1877 PA 164, entitled "An act to authorize cities, incorporated villages, and townships to establish and maintain, or contract for the use of, free public libraries and reading rooms; and to prescribe penalties and provide remedies," by amending section 11 (MCL 397.211), as amended by 1988 PA 432.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 563, entitled

A bill to amend 1951 PA 51, entitled "An act to provide for the classification of all public roads, streets, and highways in this state, and for the revision of that classification and for additions to and deletions from each classification; to set up and establish the Michigan transportation fund; to provide for the deposits in the Michigan transportation fund of specific taxes on motor vehicles and motor vehicle fuels; to provide for the allocation of funds from the Michigan transportation fund and the use and administration of the fund for transportation purposes; to set up and establish the truck safety fund; to provide for the allocation of funds from the truck safety fund and administration of the fund for truck safety purposes; to set up and establish the Michigan truck safety commission; to establish certain standards for road contracts for certain businesses; to provide for the continuing review of transportation needs within the state; to authorize the state transportation commission, counties, cities, and villages to borrow money, issue bonds, and make pledges of funds for transportation purposes; to authorize counties to advance funds for the payment of deficiencies necessary for the payment of bonds issued under this act; to provide for the limitations, payment,

retirement, and security of the bonds and pledges; to provide for appropriations and tax levies by counties and townships for county roads; to authorize contributions by townships for county roads; to provide for the establishment and administration of the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds; to provide for the deposits in the state trunk line fund, critical bridge fund, comprehensive transportation fund, and certain other funds of money raised by specific taxes and fees; to provide for definitions of public transportation functions and criteria; to define the purposes for which Michigan transportation funds may be allocated; to provide for Michigan transportation fund grants; to provide for review and approval of transportation programs; to provide for submission of annual legislative requests and reports; to provide for the establishment and functions of certain advisory entities; to provide for conditions for grants; to provide for the issuance of bonds and notes for transportation purposes; to provide for the powers and duties of certain state and local agencies and officials; to provide for the making of loans for transportation purposes by the state transportation department and for the receipt and repayment by local units and agencies of those loans from certain specified sources; and to repeal acts and parts of acts," (MCL 247.651 to 247.675) by adding section 1i.

Substitute (S-4).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 509, entitled

A bill to amend 1937 PA 94, entitled "Use tax act," by amending sections 4 and 4d (MCL 205.94 and 205.94d), section 4 as amended by 2000 PA 200 and section 4d as amended by 2000 PA 328.

Substitute (S-3).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 1, following "THE PEOPLE OF THE STATE OF MICHIGAN ENACT:" by inserting:

"Sec. 3a. The use or consumption of the following services is taxed under this act in the same manner as tangible personal property is taxed under this act:

(a) Intrastate telephone, telegraph, leased wire, and other similar communications, including local telephone exchange and long distance telephone service that both originates and terminates in Michigan, and telegraph, private line, and teletypewriter service between places in Michigan, but excluding telephone service by coin-operated installations, switchboards, concentrator-identifiers, interoffice circuitry and their accessories for telephone answering service, and directory advertising proceeds.

(b) Rooms or lodging furnished by hotelkeepers, motel operators, and other persons furnishing accommodations that are available to the public on the basis of a commercial and business enterprise, irrespective of whether or not membership is required for use of the accommodations, except rooms and lodging rented for a continuous period of more than 1 month. As used in this act, "hotel" or "motel" means a building or group of buildings in which the public may obtain accommodations for a consideration, including, without limitation, such establishments as inns, motels, tourist homes, tourist houses or courts, lodging houses, rooming houses, nudist camps, apartment hotels, resort lodges and cabins, camps operated by other than nonprofit organizations but not including those licensed under 1973 PA 116, MCL 722.111 to 722.128, and any other building or group of buildings in which accommodations are available to the public, except accommodations rented for a continuous period of more than 1 month and accommodations furnished by hospitals or nursing homes.

(c) Interstate telephone communications that either originate or terminate in this state and for which the charge for the service is billed to a Michigan service address or phone number by the provider either within or outside this state including calls between this state and any place within or without the United States of America outside of this state. However, if the tax under this act is levied at a rate of 6%, this subdivision does not apply to a wide area telecommunication service or a similar type service, an 800 prefix service or similar type service, an interstate private network and related usage charges, or an international call either inbound or outbound.

(d) After December 31, 1998, the laundering or cleaning of textiles under a sale, rental, or service agreement with a term of at least 5 days. This subdivision does not apply to the laundering or cleaning of textiles used by a restaurant, ~~or~~ A retail sales business, OR A PERSON IN THE BUSINESS OF PROVIDING DENTAL SERVICES. As used in this subdivision, "restaurant" means a food service establishment defined and licensed under the public health code, 1978 PA 368, MCL 333.1101 to 333.25211."

2. Amend page 11, line 27, after "RETAILER." by inserting "NOT LATER THAN DECEMBER 30 OF EACH YEAR, THE STATE TREASURER SHALL ESTIMATE THE AMOUNT OF USE TAX THAT WAS NOT DEPOSITED IN THE STATE SCHOOL AID FUND BECAUSE OF THE EXEMPTION IN THIS SUBDIVISION IN THE IMMEDIATELY PRECEDING FISCAL YEAR AND THAT AMOUNT SHALL BE TRANSFERRED FROM THE STATE GENERAL FUND TO THE STATE SCHOOL AID FUND."

The Senate agreed to the substitute, as amended, recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 510, entitled

A bill to amend 1933 PA 167, entitled "General sales tax act," by amending sections 4a and 4g (MCL 205.54a and 205.54g), section 4a as amended by 1999 PA 116 and section 4g as amended by 2000 PA 417.

Substitute (S-1).

The following are the amendments to the substitute recommended by the Committee of the Whole:

1. Amend page 1, following "THE PEOPLE OF THE STATE OF MICHIGAN ENACT:" by inserting:

"Sec. 1. (1) As used in this act:

(a) "Person" means an individual, firm, partnership, joint venture, association, social club, fraternal organization, municipal or private corporation whether organized for profit or not, company, estate, trust, receiver, trustee, syndicate, the United States, this state, county, or any other group or combination acting as a unit, and includes the plural as well as the singular number, unless the intention to give a more limited meaning is disclosed by the context.

(b) "Sale at retail" means a transaction by which the ownership of tangible personal property is transferred for consideration, if the transfer is made in the ordinary course of the transferor's business and is made to the transferee for consumption or use, or for any purpose other than for resale, or for lease, if the rental receipts are taxable under the use tax act, 1937 PA 94, MCL 205.91 to 205.111, in the form of tangible personal property to a person licensed under this act, or for demonstration purposes or lending or leasing to a public or parochial school offering a course in automobile driving. However, a vehicle purchased by the school shall be certified for driver education and shall not be reassigned for personal use of the school's administrative personnel. For a dealer selling a new car or truck, the exemption for demonstration purposes shall be determined by the number of new cars and trucks sold during the current calendar year or the immediately preceding year without regard to specific make or style in accordance with the following schedule of 0 to 25, 2 units; 26 to 100, 7 units; 101 to 500, 20 units; 501 or more, 25 units; but not to exceed 25 cars and trucks in a calendar year for demonstration purposes.

(c) "Sale at retail" includes a conditional sale, installment lease sale, or other transfer of property if title is retained as security for the purchase price but is intended to be transferred later.

(d) "Sale at retail" includes the sale of electricity, natural or artificial gas, or steam, if the sale is made to the consumer or user for consumption or use rather than for resale. Beginning September 20, 1999, sale at retail also includes the sale of the transmission and distribution of electricity, whether the electricity is purchased from the delivering utility or from another provider, if the sale is made to the consumer or user of the electricity for consumption or use rather than for resale. Sale at retail also includes the sale of a prepaid telephone calling card or a prepaid authorization number for telephone use, rather than for resale, and also includes the reauthorization of a prepaid telephone calling card or a prepaid authorization number. Sale at retail does not include the sale of water through water mains or the sale of water delivered in bulk tanks in quantities of not less than 500 gallons.

(e) "Sale at retail" includes computer software offered for general sale to the public or software modified or adapted to the user's needs or equipment by the seller, only if the software is available for sale from a seller of software on an as is basis or as an end product without modification or adaptation. Sale at retail does not include specific charges for technical support or for adapting or modifying prewritten, standard, or canned computer software programs to a purchaser's needs or equipment if those charges are separately stated and identified. Sale at retail does not include computer software originally designed for the exclusive use and special needs of the purchaser. As used in this subdivision, "computer software" means a set of statements or instructions that when incorporated in a machine usable medium is capable of causing a machine or device having information processing capabilities to indicate, perform, or achieve a particular function, task, or result.

(f) "Sale at retail" includes the sale of tangible personal property TO A PERSON OTHER THAN A PERSON IN THE BUSINESS OF PROVIDING DENTAL SERVICES by an industrial laundry under a sale, rental, or service agreement with a term of at least 5 days.

(g) "Sale at retail" does not include an isolated transaction by a person not licensed or required to be licensed under this act, in which tangible personal property is offered for sale, sold, transferred, and delivered by the owner.

(h) "Sale at retail" does not include a commercial advertising element if the commercial advertising element is used to create or develop a print, radio, television, or other advertisement, the commercial advertising element is discarded or returned to the provider after the advertising message is completed, and the commercial advertising element is custom developed by the provider for the purchaser. As used in this subdivision, "commercial advertising element" means a negative or positive photographic image, an audiotape or videotape master, a layout, a manuscript, writing of copy, a design, artwork, an illustration, retouching, and mechanical or keyline instructions. Sale at retail includes black and white or full color process separation elements, an audiotape reproduction, or a videotape reproduction.

(i) "Gross proceeds" means the amount received in money, credits, subsidies, property, or other money's worth in consideration of a sale at retail within this state, without a deduction for the cost of the property sold, the cost of material used, the cost of labor or service purchased, an amount paid for interest or a discount, a tax paid on cigarettes or tobacco products at the time of purchase, a tax paid on beer or liquor at the time of purchase or other expenses. Also, a deduction is not allowed for losses. Gross proceeds do not include an amount received or billed by the taxpayer for remittance to the employee as a gratuity or tip, if the gratuity or tip is separately identified and itemized on the guest

check or billed to the customer. In a taxable sale at retail of a motor vehicle, if another motor vehicle is used as part payment of the purchase price, the value of the motor vehicle used as part payment of or refund for returned goods or a refund less an allowance for use made for a motor vehicle returned under 1986 PA 87, MCL 257.1401 to 257.1410, as certified by the manufacturer on a form provided by the purchase price shall be that value agreed to by the parties to the sale as evidenced by the signed statement executed pursuant to section 251 of the Michigan vehicle code, 1949 PA 300, MCL 257.251. A credit department of treasury, may be deducted.

(j) "Business" includes an activity engaged in by a person or caused to be engaged in by that person with the object of gain, benefit, or advantage, either direct or indirect.

(k) "Tax year" or "taxable year" means the fiscal year of the state or the taxpayer's fiscal year if permission is obtained by the taxpayer from the department to use the taxpayer's fiscal year as the tax period instead.

(l) "Department" means the revenue division of the department of treasury.

(m) "Taxpayer" means a person subject to a tax under this act.

(n) "Tax" includes a tax, interest, or penalty levied under this act.

(o) "Textiles" means goods that are made of or incorporate woven or nonwoven fabric, including, but not limited to, clothing, shoes, hats, gloves, handkerchiefs, curtains, towels, sheets, pillows, pillow cases, tablecloths, napkins, aprons, linens, floor mops, floor mats, and thread. Textiles also include materials used to repair or construct textiles, or other goods used in the rental, sale, or cleaning of textiles.

(2) If the department determines that it is necessary for the efficient administration of this act to regard an unlicensed person, including a salesperson, representative, peddler, or canvasser as the agent of the dealer, distributor, supervisor, or employer under whom the unlicensed person operates or from whom the unlicensed person obtains the tangible personal property sold by the unlicensed person, irrespective of whether the unlicensed person is making sales on the unlicensed person's own behalf or on behalf of the dealer, distributor, supervisor, or employer, the department may so regard the unlicensed person and may regard the dealer, distributor, supervisor, or employer as making sales at retail at the retail price for the purposes of this act."

2. Amend page 8, line 4, after "RETAILER." by inserting "NOT LATER THAN DECEMBER 30 OF EACH YEAR, THE STATE TREASURER SHALL ESTIMATE THE AMOUNT OF USE TAX THAT WAS NOT DEPOSITED IN THE STATE SCHOOL AID FUND BECAUSE OF THE EXEMPTION IN THIS SUBDIVISION IN THE IMMEDIATELY PRECEDING FISCAL YEAR AND THAT AMOUNT SHALL BE TRANSFERRED FROM THE STATE GENERAL FUND TO THE STATE SCHOOL AID FUND."

The Senate agreed to the substitute, as amended, recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 777, entitled

A bill to amend 1987 PA 173, entitled "Mortgage brokers, lenders, and servicers licensing act," by amending sections 1a, 2, 4, 11, and 22 (MCL 445.1651a, 445.1652, 445.1654, 445.1661, and 445.1672), sections 1a, 2, 4, and 22 as amended by 1996 PA 210, and by adding sections 18a, 18b, 18c, 18d, and 18e.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 778, entitled

A bill to amend 1981 PA 125, entitled "The secondary mortgage loan act," by amending sections 1, 6b, and 24 (MCL 493.51, 493.56b, and 493.74), sections 1 and 24 as amended and section 6b as added by 1997 PA 91, and by adding sections 14a, 14b, 14c, 14d, and 14e.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 779, entitled

A bill to amend 1939 PA 21, entitled "Regulatory loan act of 1963," by amending sections 1, 9, 12, and 18 (493.1, 493.9, 493.12, and 493.18), section 1 as amended by 1996 PA 184, section 12 as amended by 1991 PA 14, and section 18 as amended by 1995 PA 165, and by adding sections 9a, 9b, 9c, 9d, 9e, 9f, and 9g.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

The Committee of the Whole reported back to the Senate, favorably and with a substitute therefor, the following bill:
Senate Bill No. 780, entitled

A bill to amend 1960 PA 136, entitled "Sale of checks act," by amending sections 2, 12, and 15 (MCL 487.902, 487.912, and 487.915), sections 2 and 12 as amended by 1986 PA 275, and by adding sections 12b, 12c, 12d, 12e, 12f, 12g, and 12h.

Substitute (S-1).

The Senate agreed to the substitute recommended by the Committee of the Whole, and the bill as substituted was placed on the order of Third Reading of Bills.

During the Committee of the Whole, Senators Gast and DeGrow entered the Senate Chamber.

Resolutions

Senator Emmons moved that consideration of the following concurrent resolution be postponed for today:

Senate Concurrent Resolution No. 11

The motion prevailed.

Senate Concurrent Resolution No. 31.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Agriculture Animal Health Diagnostic Laboratory.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 378

Yeas—35

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema
Cherry	Goschka	Miller	Smith
DeBeaussaert	Gougeon	Murphy	Steil
DeGrow	Hammerstrom	North	Stille
Dingell	Hart	Peters	Van Regenmorter
Dunaskiss	Hoffman	Schuette	Young
Emerson	Koivisto	Schwarz	

Nays—0

Excused—2

Johnson	Vaughn
---------	--------

Not Voting—0

In The Chair: Schwarz

Senate Concurrent Resolution No. 32.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Community Health Center for Forensic Psychiatry.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 379**Yeas—35**

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema
Cherry	Goschka	Miller	Smith
DeBeaussiaert	Gougeon	Murphy	Steil
DeGrow	Hammerstrom	North	Stille
Dingell	Hart	Peters	Van Regenmorter
Dunaskiss	Hoffman	Schuette	Young
Emerson	Koivisto	Schwarz	

Nays—0**Excused—2**

Johnson	Vaughn
---------	--------

Not Voting—0

In The Chair: Schwarz

Senate Concurrent Resolution No. 33.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Multilevel Correctional Facility at Ionia.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 380**Yeas—35**

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema

Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Koivisto

Miller
Murphy
North
Peters
Schuette
Schwarz

Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—2

Johnson

Vaughn

Not Voting—0

In The Chair: Schwarz

Senate Concurrent Resolution No. 34.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease between the State of Michigan and the State Building Authority relative to the Department of Corrections Parnall Correctional Facility Additional Housing Unit.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 381

Yeas—35

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Emmons
Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Koivisto

Leland
McCotter
McManus
Miller
Murphy
North
Peters
Schuette
Schwarz

Scott
Shugars
Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—2

Johnson

Vaughn

Not Voting—0

In The Chair: Schwarz

Senate Concurrent Resolution No. 35.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Central Michigan University relative to the Central Michigan University Health Professions Building.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 382**Yeas—35**

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema
Cherry	Goschka	Miller	Smith
DeBeaussaert	Gougeon	Murphy	Steil
DeGrow	Hammerstrom	North	Stille
Dingell	Hart	Peters	Van Regenmorter
Dunaskiss	Hoffman	Schuette	Young
Emerson	Koivisto	Schwarz	

Nays—0**Excused—2**

Johnson	Vaughn
---------	--------

Not Voting—0

In The Chair: Schwarz

Senate Concurrent Resolution No. 36.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Gogebic Community College relative to the Gogebic Community College General Campus Renovations.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 383**Yeas—35**

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema

Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Koivisto

Miller
Murphy
North
Peters
Schuette
Schwarz

Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—2

Johnson

Vaughn

Not Voting—0

In The Chair: Schwarz

Senate Concurrent Resolution No. 37.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Grand Valley State University relative to the Grand Valley State University Health Professions Building.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 384

Yeas—35

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Emmons
Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Koivisto

Leland
McCotter
McManus
Miller
Murphy
North
Peters
Schuette
Schwarz

Scott
Shugars
Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—2

Johnson

Vaughn

Not Voting—0

In The Chair: Schwarz

Senate Concurrent Resolution No. 38.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the School District of the City of Dearborn relative to the Henry Ford Community College Instructional/Classroom Renovations.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 385**Yeas—35**

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema
Cherry	Goschka	Miller	Smith
DeBeaussaert	Gougeon	Murphy	Steil
DeGrow	Hammerstrom	North	Stille
Dingell	Hart	Peters	Van Regenmorter
Dunaskiss	Hoffman	Schuetz	Young
Emerson	Koivisto	Schwarz	

Nays—0**Excused—2**

Johnson	Vaughn
---------	--------

Not Voting—0

In The Chair: Schwarz

Senate Concurrent Resolution No. 39.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Oakland University relative to the Oakland University School of Education and Human Services Building.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 386**Yeas—35**

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema
Cherry	Goschka	Miller	Smith

DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Gougeon
Hammerstrom
Hart
Hoffman
Koivisto

Murphy
North
Peters
Schuette
Schwarz

Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—2

Johnson

Vaughn

Not Voting—0

In The Chair: Schwarz

Senate Concurrent Resolution No. 40.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Schoolcraft College relative to the Schoolcraft College Business and Industry Training Center and Waterman Center Renovation.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 387

Yeas—35

Bennett
Bullard
Byrum
Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Emmons
Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Koivisto

Leland
McCotter
McManus
Miller
Murphy
North
Peters
Schuette
Schwarz

Scott
Shugars
Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—2

Johnson

Vaughn

Not Voting—0

In The Chair: Schwarz

Senate Concurrent Resolution No. 41.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Regents of the University of Michigan relative to the University of Michigan-Ann Arbor Central Campus Renovation Phase II-Mason Hall and Haven Hall.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 388**Yeas—35**

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema
Cherry	Goschka	Miller	Smith
DeBeaussaert	Gougeon	Murphy	Steil
DeGrow	Hammerstrom	North	Stille
Dingell	Hart	Peters	Van Regenmorter
Dunaskiss	Hoffman	Schuette	Young
Emerson	Koivisto	Schwarz	

Nays—0**Excused—2**

Johnson	Vaughn
---------	--------

Not Voting—0

In The Chair: Schwarz

Senate Concurrent Resolution No. 42.

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and Washtenaw Community College relative to the Washtenaw Community College Technology Education Building.

The Assistant Secretary of the Senate made the following statement:

Mr. President and members of the Senate, the lease and exhibits are attached to the resolution and are available for review by the membership now at the rostrum or after session in the offices of the Session Staff in the Romney Building.

The question being on the adoption of the concurrent resolution,

The concurrent resolution was adopted, a majority of the members serving voting therefor, as follows:

Roll Call No. 389**Yeas—35**

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema

Cherry
DeBeaussaert
DeGrow
Dingell
Dunaskiss
Emerson

Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Koivisto

Miller
Murphy
North
Peters
Schuette
Schwarz

Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—2

Johnson

Vaughn

Not Voting—0

In The Chair: Schwarz

Senate Concurrent Resolution No. 43.

A concurrent resolution to change the scope of the Computer Technology and Academic Center project at Kellogg Community College.

The question being on the adoption of the concurrent resolution,
The concurrent resolution was adopted.

House Concurrent Resolution No. 47.

A concurrent resolution prescribing the legislative schedule.

Resolved by the House of Representatives (the Senate concurring), That when the House of Representatives adjourns on Thursday, November 1, 2001, it stand adjourned until Tuesday, November 27, 2001, at 2:00 p.m.; and be it further Resolved, That when the Senate adjourns on Thursday, November 8, 2001, it stand adjourned until Tuesday, November 27, 2001, at 10:00 a.m.

The House of Representatives has adopted the concurrent resolution.

Pending the order that, under rule 3.204, the concurrent resolution be referred to the Committee on Government Operations,

Senator Emmons moved that the rule be suspended.

The motion prevailed, a majority of the members serving voting therefor.

The concurrent resolution was adopted.

By unanimous consent the Senate returned to the order of

Third Reading of Bills

Senator Emmons moved that the following bills be placed at the head of the Third Reading of Bills calendar:

Senate Bill No. 643

Senate Bill No. 775

Senate Bill No. 525

Senate Bill No. 660

Senate Bill No. 661

Senate Bill No. 662

Senate Bill No. 664

Senate Bill No. 746

Senate Bill No. 747

Senate Bill No. 781

Senate Bill No. 782

The motion prevailed.

The following bill was read a third time:

Senate Bill No. 643, entitled

A bill to amend 1988 PA 466, entitled "Animal industry act," by amending section 14 (MCL 287.714), as amended by 2000 PA 323.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 390

Yeas—35

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema
Cherry	Goschka	Miller	Smith
DeBeaussaert	Gougeon	Murphy	Steil
DeGrow	Hammerstrom	North	Stille
Dingell	Hart	Peters	Van Regenmorter
Dunaskiss	Hoffman	Schuette	Young
Emerson	Koivisto	Schwarz	

Nays—0

Excused—2

Johnson Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 775, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 19 (MCL 208.19), as added by 1999 PA 115.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 391

Yeas—35

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema
Cherry	Goschka	Miller	Smith
DeBeaussaert	Gougeon	Murphy	Steil
DeGrow	Hammerstrom	North	Stille
Dingell	Hart	Peters	Van Regenmorter
Dunaskiss	Hoffman	Schuette	Young
Emerson	Koivisto	Schwarz	

Nays—0

Excused—2

Johnson

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 525, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 21712 (MCL 333.21712).

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 392**Yeas—35**

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema
Cherry	Goschka	Miller	Smith
DeBeaussaert	Gougeon	Murphy	Steil
DeGrow	Hammerstrom	North	Stille
Dingell	Hart	Peters	Van Regenmorter
Dunaskiss	Hoffman	Schuetz	Young
Emerson	Koivisto	Schwarz	

Nays—0**Excused—2**

Johnson

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 660, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 16204a, 16204b, 16204c, and 16204d (MCL 333.16204a, 333.16204b, 333.16204c, and 333.16204d), section 16204a as amended by 1998 PA 421, section 16204b as added by 1998 PA 422, and sections 16204c and 16204d as added by 1998 PA 423.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 393**Yeas—35**

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema
Cherry	Goschka	Miller	Smith
DeBeaussaert	Gougeon	Murphy	Steil
DeGrow	Hammerstrom	North	Stille
Dingell	Hart	Peters	Van Regenmorter
Dunaskiss	Hoffman	Schuette	Young
Emerson	Koivisto	Schwarz	

Nays—0**Excused—2**

Johnson Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 661, entitled

A bill to amend 1980 PA 350, entitled "The nonprofit health care corporation reform act," by amending section 402a (MCL 550.1402a), as amended by 1998 PA 426.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 394**Yeas—35**

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema
Cherry	Goschka	Miller	Smith
DeBeaussaert	Gougeon	Murphy	Steil
DeGrow	Hammerstrom	North	Stille
Dingell	Hart	Peters	Van Regenmorter
Dunaskiss	Hoffman	Schuette	Young
Emerson	Koivisto	Schwarz	

Nays—0**Excused—2**

Johnson Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 662, entitled

A bill to amend 1956 PA 218, entitled “The insurance code of 1956,” by amending section 2212a (MCL 500.2212a), as amended by 1998 PA 424.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 395**Yeas—35**

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema
Cherry	Goschka	Miller	Smith
DeBeaussaert	Gougeon	Murphy	Steil
DeGrow	Hammerstrom	North	Stille
Dingell	Hart	Peters	Van Regenmorter
Dunaskiss	Hoffman	Schuetz	Young
Emerson	Koivisto	Schwarz	

Nays—0**Excused—2**

Johnson

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 664, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending section 20201 (MCL 333.20201), as amended by 1998 PA 88.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 396**Yeas—35**

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema

Cherry
DeBeaussiaert
DeGrow
Dingell
Dunaskiss
Emerson

Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Koivisto

Miller
Murphy
North
Peters
Schuette
Schwarz

Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—2

Johnson

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 746, entitled

A bill to amend 1972 PA 284, entitled "Business corporation act," by amending section 213 (MCL 450.1213).

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 397

Yeas—35

Bennett
Bullard
Byrum
Cherry
DeBeaussiaert
DeGrow
Dingell
Dunaskiss
Emerson

Emmons
Garcia
Gast
Goschka
Gougeon
Hammerstrom
Hart
Hoffman
Koivisto

Leland
McCotter
McManus
Miller
Murphy
North
Peters
Schuette
Schwarz

Scott
Shugars
Sikkema
Smith
Steil
Stille
Van Regenmorter
Young

Nays—0

Excused—2

Johnson

Vaughn

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 747, entitled

A bill to amend 1993 PA 23, entitled “Michigan limited liability company act,” (MCL 450.4101 to 450.5200) by adding section 204a.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 398

Yeas—35

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema
Cherry	Goschka	Miller	Smith
DeBeaussaert	Gougeon	Murphy	Steil
DeGrow	Hammerstrom	North	Stille
Dingell	Hart	Peters	Van Regenmorter
Dunaskiss	Hoffman	Schuette	Young
Emerson	Koivisto	Schwarz	

Nays—0

Excused—2

Johnson	Vaughn
---------	--------

Not Voting—0

In The Chair: Schwarz

The Senate agreed to the title of the bill.

The following bill was read a third time:

Senate Bill No. 781, entitled

A bill to amend 1978 PA 368, entitled “Public health code,” by amending sections 5656, 5657, 5658, 5659, and 5660 (MCL 333.5656, 333.5657, 333.5658, 333.5659, and 333.5660), as added by 1996 PA 594.

The question being on the passage of the bill,

The bill was passed, a majority of the members serving voting therefor, as follows:

Roll Call No. 399

Yeas—35

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema
Cherry	Goschka	Miller	Smith
DeBeaussaert	Gougeon	Murphy	Steil
DeGrow	Hammerstrom	North	Stille
Dingell	Hart	Peters	Van Regenmorter
Dunaskiss	Hoffman	Schuette	Young
Emerson	Koivisto	Schwarz	

Nays—0

Roll Call No. 402**Yeas—35**

Bennett	Emmons	Leland	Scott
Bullard	Garcia	McCotter	Shugars
Byrum	Gast	McManus	Sikkema
Cherry	Goschka	Miller	Smith
DeBeaussaert	Gougeon	Murphy	Steil
DeGrow	Hammerstrom	North	Stille
Dingell	Hart	Peters	Van Regenmorter
Dunaskiss	Hoffman	Schuette	Young
Emerson	Koivisto	Schwarz	

Nays—0**Excused—2**

Johnson Vaughn

Not Voting—0

In The Chair: Schwarz

The question being on concurring in the committee recommendation to give the bill immediate effect, The recommendation was concurred in, 2/3 of the members serving voting therefor. The Senate agreed to the title as amended. The bill was referred to the Secretary for enrollment printing and presentation to the Governor.

By unanimous consent the Senate proceeded to the order of

Introduction and Referral of Bills

Senators Koivisto and Gast introduced

Senate Bill No. 808, entitled

A bill to amend 1949 PA 300, entitled "Michigan vehicle code," by amending section 907 (MCL 257.907), as amended by 1998 PA 103.

The bill was read a first and second time by title and referred to the Committee on Appropriations.

House Bill No. 4811, entitled

A bill to amend 1956 PA 218, entitled "The insurance code of 1956," by amending sections 5028, 5412, and 7918 (MCL 500.5028, 500.5412, and 500.7918), section 7918 as amended by 1980 PA 41, and by adding section 121.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Financial Services.

House Bill No. 4887, entitled

A bill to amend 1943 PA 143, entitled "An act to empower boards of county road commissioners to borrow money in anticipation and upon the faith and credit of future receipts of revenues, derived from certain state collected taxes, for the purpose of purchasing road machinery or equipment or for improvement of county highways or for general county road purposes," (MCL 141.251 to 141.254) by adding section 1a.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Finance.

House Bill No. 4892, entitled

A bill to amend 1851 PA 156, entitled "An act to define the powers and duties of the county boards of commissioners of the several counties, and to confer upon them certain local, administrative and legislative powers; and to prescribe penalties for the violation of the provisions of this act," (MCL 46.1 to 46.32) by adding section 11d.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Finance.

House Bill No. 4893, entitled

A bill to amend 1996 PA 381, entitled "Brownfield redevelopment financing act," (MCL 125.2651 to 125.2672) by adding section 17a.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Finance.

House Bill No. 4894, entitled

A bill to amend 1945 PA 344, entitled "An act to authorize counties, cities, villages and townships of this state to adopt plans to prevent blight and to adopt plans for the rehabilitation of blighted areas; to authorize assistance in carrying out such plans by the acquisition of real property, the improvement of such real property and the disposal of real property in such areas; to prescribe the methods of financing the exercise of these powers; and to declare the effect of this act," (MCL 125.71 to 125.84) by adding section 7d.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Finance.

House Bill No. 4895, entitled

A bill to amend 1954 PA 188, entitled "An act to provide for the making of certain improvements by townships; to provide for paying for the improvements by the issuance of bonds; to provide for the levying of taxes; to provide for assessing the whole or a part of the cost of improvements against property benefited; and to provide for the issuance of bonds in anticipation of the collection of special assessments and for the obligation of the township on the bonds," (MCL 41.721 to 41.738) by adding section 15d.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Finance.

House Bill No. 5005, entitled

A bill to amend 1984 PA 44, entitled "Motor fuels quality act," by amending sections 3, 4a, 5, 6, 9i, 10a, and 10b (MCL 290.643, 290.644a, 290.645, 290.646, 290.649i, 290.650a, and 290.650b), section 3 as amended by 2000 PA 206, section 4a as added by 1986 PA 127, and sections 5 and 6 as amended and sections 9i, 10a, and 10b as added by 1993 PA 236.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Transportation and Tourism.

House Bill No. 5211, entitled

A bill to amend 1893 PA 206, entitled "The general property tax act," by amending section 19 (MCL 211.19), as amended by 1996 PA 126.

The House of Representatives has passed the bill and ordered that it be given immediate effect.

The bill was read a first and second time by title and referred to the Committee on Finance.

Committee Reports

The Committee on Education reported

Senate Bill No. 20, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," (MCL 208.1 to 208.145) by adding sections 39d and 39e.

With the recommendation that the substitute (S-3) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Loren Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Johnson, Stille and Peters

Nays: Senator Leland

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Education reported

Senate Bill No. 21, entitled

A bill to create certain authorities; to authorize the creation of certain funds; to authorize expenditures from certain funds; to finance the purchase of land and buildings; to allow for the leasing of facilities; and to prescribe the powers and duties of certain state and local officials.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Loren Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Johnson and Stille

Nays: Senators Peters and Leland

The bill was referred to the Committee of the Whole.

The Committee on Education reported

Senate Bill No. 213, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending sections 1231 and 1236 (MCL 380.1231 and 380.1236), section 1236 as amended by 1995 PA 289, and by adding section 1236a.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Loren Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Johnson and Stille

Nays: Senators Peters and Leland

The bill was referred to the Committee of the Whole.

The Committee on Education reported

Senate Bill No. 278, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1523.

With the recommendation that the substitute (S-2) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Loren Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Johnson, Stille, Peters and Leland

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Education reported

Senate Bill No. 459, entitled

A bill to establish a teachers loan forgiveness program for eligible new teachers in at-risk schools and shortage areas; to establish a teachers loan forgiveness fund and to provide for its administration; and to prescribe certain powers and duties of certain state officers, agencies, and departments.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Loren Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Johnson, Stille, Peters and Leland

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Education reported

Senate Bill No. 562, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," (MCL 380.1 to 380.1852) by adding section 1279a. With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Loren Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Johnson, Stille, Peters and Leland

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education reported

Senate Bill No. 627, entitled

A bill to amend 1997 PA 16, entitled "The playground equipment safety act," by amending section 4 (MCL 408.684), as amended by 1998 PA 137.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Loren Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Johnson, Stille, Peters and Leland

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Education reported

House Bill No. 4491, entitled

A bill to amend 1976 PA 451, entitled "The revised school code," by amending section 1284b (MCL 380.1284b), as added by 1999 PA 141.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Loren Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Johnson, Stille, Peters and Leland

Nays: None

The bill was referred to the Committee of the Whole.

The Committee on Education reported

House Bill No. 4733, entitled

A bill to authorize the board of a school district to award high school diplomas to World War II veterans under certain circumstances; and to prescribe duties and responsibilities of certain state officers and officials.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Loren Bennett
Chairperson

To Report Out:

Yeas: Senators Bennett, Johnson, Stille, Peters and Leland

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Education submits the following:

Meeting held on Monday, October 29, 2001, at 2:00 p.m., Room 810, Farnum Building

Present: Senators Bennett (C), Johnson, Stille, Peters and Leland

The Committee on Finance reported

Senate Bill No. 486, entitled

A bill to amend 1975 PA 228, entitled "Single business tax act," by amending section 9 (MCL 208.9), as amended by 1998 PA 539.

With the recommendation that the substitute (S-1) be adopted and that the bill then pass.

The committee further recommends that the bill be given immediate effect.

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill and the substitute recommended by the committee were referred to the Committee of the Whole.

The Committee on Finance reported

House Bill No. 5036, entitled

A bill to amend 1941 PA 122, entitled "An act to establish a revenue division of the department of treasury; to prescribe its powers and duties as the revenue collection agency of the state; to prescribe certain powers and duties of the state treasurer; to regulate the importation, stamping, and disposition of certain tobacco products; to create the position and to define the powers and duties of the state commissioner of revenue; to provide for the transfer of powers and duties now vested in certain other state boards, commissions, departments and offices; to prescribe certain duties of and require certain reports from the department of treasury; to provide procedures for the payment, administration, audit, assessment, levy of interests or penalties on, and appeals of taxes and tax liability; to prescribe its powers and duties if an agreement to act as agent for a city to administer, collect, and enforce the city income tax act on behalf of a city is entered into with any city; to provide an appropriation; to abolish the state board of tax administration; to prescribe penalties and provide remedies; and to declare the effect of this act," by amending sections 24, 30c, and 31 (MCL 205.24, 205.30c, and 205.31), sections 24 and 31 as amended by 1993 PA 14 and section 30c as amended by 1998 PA 493.

With the recommendation that the bill pass.

The committee further recommends that the bill be given immediate effect.

Joanne G. Emmons
Chairperson

To Report Out:

Yeas: Senators Emmons, Bullard, Garcia, Peters and Byrum

Nays: None

The bill was referred to the Committee of the Whole.

COMMITTEE ATTENDANCE REPORT

The Committee on Finance submits the following:

Meeting held on Tuesday, October 30, 2001, at 1:00 p.m., Senate Hearing Room, Ground Floor, Michigan National Tower

Present: Senators Emmons (C), Bullard, Garcia, Peters and Byrum

COMMITTEE ATTENDANCE REPORT

The Committee on Natural Resources and Environmental Affairs submits the following:

Meeting held on Tuesday, October 30, 2001, at 1:30 p.m., Room 810, Farnum Building

Present: Senators Sikkema (C) and Peters

Excused: Senators Dunaskiss, Gast and Young

COMMITTEE ATTENDANCE REPORT

The Subcommittee on Natural Resources submits the following:

Meeting held on Tuesday, October 30, 2001, at 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building

Present: Senators McManus (C), Gast, Koivisto and DeBeaussiaert

Excused: Senator Hoffman

Scheduled Meetings

Appropriations - Wednesday, November 7, 2:00 p.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Subcommittee -

Capital Outlay, Joint - Wednesday, November 7, 8:45 a.m., Senate Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Appropriations, Joint Senate/House - Tuesday, November 6, 2:00 p.m., House Appropriations Room, 3rd Floor, Capitol Building (373-6960)

Banking and Financial Institutions - Thursday, November 1, 9:00 a.m., Room 210, Farnum Building (373-2420) (CANCELED)

Great Lakes Conservation Task Force - Monday, November 5, 6:00 p.m., St. Joseph Public Library, 500 Market, St. Joseph; Monday, November 26, 6:00 p.m., Saginaw Valley State University, Curtis Center, 2250 Pierce Road, University Center (373-0797)

Senior Citizens and Veterans Affairs - Monday, November 5, 6:00 p.m., Vietnam Veterans of America Post 133, 581 West Kennett, Pontiac (373-2417)

Senator Emmons moved that the Senate adjourn.
The motion prevailed, the time being 11:16 a.m.

The President pro tempore, Senator Schwarz, declared the Senate adjourned until Thursday, November 1, at 10:00 a.m.

CAROL MOREY VIVENTI
Secretary of the Senate.

